UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

UNITED STATES OF AMERICA,)	
)	
v.)	No. 1:13-CR-128-HSM-SKL-05
)	
ADRAIN WASHINGTON)	

MEMORANDUM AND ORDER

ADRAIN WASHINGTON ("Defendant") appeared for a hearing on May 22, 2018, in accordance with Rules 5 and 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant or Summons for an Offender Under Supervision ("Petition").

Defendant was placed under oath and informed of his constitutional rights. It was determined that Defendant wished to be represented by an attorney and he qualified for appointed counsel. Federal Defender Services of Eastern Tennessee was appointed to represent Defendant. It was also determined that Defendant had been provided with and reviewed with counsel a copy of the Petition.

The Government did not seek detention of Defendant without bail pending resolution of the Petition and did not oppose Defendant being released on existing conditions of supervised release. Defendant waived his right to a preliminary hearing.

Based upon the Petition and waiver of preliminary hearing, the Court finds there is probable cause to believe Defendant has committed violations of his condition of supervised release as alleged in the Petition.

The Government did not seek detention of Defendant without bail pending resolution of the Petition and did not oppose Defendant being released under existing conditions of supervised release and it was determined that Defendant should remain on release pending resolution of the Petition. For the reasons addressed more fully during the hearing, I find that Defendant has carried his burden under Fed. R. Crim. P. 32.1(a)(6) for release because there are conditions which will reasonably assure the appearance of the Defendant and the safety of the community in accordance with 18 U.S.C. §§ 3142-3143.

Accordingly, it is **ORDERED** that:

- (1) Counsel for Defendant and the Government shall confer and make best efforts to submit to U.S. District Judge Mattice a proposed Agreed Order with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision.
- (2) In the event counsel are unable to reach agreement with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision, they shall request a hearing

before U.S. District Judge M	Iattice
------------------------------	----------------

(3) Defendant is released on existing conditions of supervised release.

SO ORDERED.

ENTER.

s/ *Susan K. Lee* SUSAN K. LEE

UNITED STATES MAGISTRATE JUDGE